

Remarks

The Examiner is thanked for withdrawing the restriction requirement *vis-a-vis* claims 40-52 and 61.

The Examiner objected to claim 63 because, as presented, it was dependent upon itself. Claim 63 has been amended to depend from claim 62. With the entry of that amendment, that should cause that particular objection to fall away.

The Examiner is thanked for allowing, or indicating as being allowable, claims 2-7, 9-19, 23-34 and 41-63.

The Examiner made a new claim rejection, rejecting claims 1, 8, 21 and 40 under 35 U.S.C. 102 as allegedly being anticipated by Jacobsen et al. This grounds for rejection is respectfully traversed.

In order for a rejection under 35 U.S.C. 102 to stand, the prior art must teach each and every limitation of the rejected claim.

Turning to claim 1, claim 1 recites, *inter alia*, "an optical arrangement for directing an incoming optical beam onto a selected one or ones of said optical modulator and/or detector pixels in said array and for returning light which is modulated or reflected by said pixels to an optical transmitter from which the incoming beam was directed to the optical arrangement." Jacobsen shows no such structure. The Examiner asserts that such structure is disclosed in paragraph 0082, but the Applicant cannot find the vaguest hint of any such structure in the paragraph.

Paragraph 0082 of Jacobsen discusses Figures 7A, 7B and 7C of that document. The Examiner explains, in some detail, how he reads elements 54 and 52 on the first whole subparagraph of claim 1. Without discussing whether the Examiner is correct (or not) in his analysis *vis-a-vis* that subparagraph, the Applicant respectfully notes that claim 1 has additional subject matter, quoted above which appears in its second whole

subparagraph, which the Examiner's analysis simply does not address in terms of explaining how Jacobsen allegedly anticipates the quoted language.

Note that Jacobsen discusses Figures 7A, 7B and 7C in terms of the disclosed device being a "display device". As such where does Jacobsen teach or suggest "an incoming optical beam" that is directed "onto a selected one or ones of said optical modulator and/or detector pixels"? Where does Jacobsen teach or suggest "returning light which is modulated or reflected by said pixels to an optical transmitter from which the incoming beam was directed to the optical arrangement"? Since Jacobsen does not anticipate these limitations of claim 1 in the passage cited by the Examiner, the rejection based on Jacobsen is improper and should be withdrawn.

Turning to the Examiner's rejection of claim 8, claim 8 is dependent upon claim 1, and in view of the fact that the rejection of claim 1 is improper, the rejection of claim 8 must also be improper, for at least that reason.

Turning to claim 21, the Examiner also rejects that claim based upon Jacobsen. Claim 21 recites, *inter alia*, "an optical arrangement for directing an incoming optical beam onto a selected one or ones of said optical modulator and/or detector pixels in said array and for returning light which is modulated and reflected by said pixels to an optical transmitter from which the incoming beam was directed to the optical arrangement." The Examiner asserts that the disclosure of that element can be found in paragraph 0082 of Jacobsen. The Applicant has reviewed paragraph 0082 of Jacobsen and cannot find the vaguest hint or suggestion of the limitation quoted above.

Since Jacobsen does not teach each and every limitation of claim 21, the rejection of claim 21 under 35 U.S.C. 102 is improper and should be withdrawn.

The Examiner rejects claim 40 based upon Jacobsen. As indicated above, in order to a rejection under 35 U.S.C. 102 to stand, the prior art reference must teach each and every limitation of the claim. Claim 40 recites, *inter alia*, "an optical arrangement for directing an incoming optical beam onto a selected one or ones of said modulator and/or

detector pixels in said array and for returning light which is modulated and reflected by said pixels to an optical transmitter from which the incoming beam was directed to the optical arrangement." The Applicant has reviewed the paragraph to which the Examiner refers, namely paragraph 0082 of Jacobsen, and cannot find the slightest hint or suggestion of the limitation quoted above. As such, the rejection based upon Jacobsen is improper and should be withdrawn.

The Examiner is thanked for allowing a large number of the claims in this application and further for indicating that further claims patentably define over the prior art. However, it is believed that all of the claims in this application patentably define over the prior art and should be allowed.

Claims 1, 21 and 40 have each been amended to delete the phrase "from an optical transmitter". This phrase has been removed since the "optical transmitter" is introduced elsewhere in the claims and therefor the phrase has been removed so that the "optical transmitter" is no longer introduced twice in those claims. The amendments to claims 1, 21, and 40 are not being made in response to any rejection made by the Examiner and do not narrow those claims in any way.

The Examiner is respectfully requested to reconsider the rejections made in this application and to withdraw them.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 12-0415. In particular, if this response is not timely filed, then the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136 (a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

I hereby certify that this correspondence is being deposited with the United States Post Office with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents
PO Box 1450, Alexandria, VA 22313-1450 on

April 12, 2005

(Date of Deposit)

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